UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/RES/47/191
29 January 1993

Forty-seventh session
Agenda item 79

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Second Committee (A/47/719)]

47/191. Institutional arrangements to follow up the United Nations Conference on Environment and Development

The General Assembly,

Welcoming the adoption by the United Nations Conference on Environment and Development of Agenda 21, 1/ in particular chapter 38, entitled "International institutional arrangements", which contains a set of important recommendations on institutional arrangements to follow up the Conference,

Stressing the overall objective of the integration of environment and development issues at the national, subregional, regional and international levels, including the United Nations system institutional arrangements, and the specific objectives recommended by the Conference in paragraph 38.8 of Agenda 21,

Taking note of the report of the Secretary-General, 2/ prepared with the assistance of the Secretary-General of the United Nations Conference on Environment and Development, on institutional arrangements to follow up the Conference, as well as the recommendations and proposals contained therein,

1. Endorses the recommendations on international institutional arrangements to follow up the United Nations Conference on Environment and Development as contained in chapter 38 of Agenda 21, particularly those on the establishment of a high-level Commission on Sustainable Development;

1/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26), chap. I, resolution 1, annex II.

2/ A/47/598 and Add.1.

Commission on Sustainable Development

2. Requests the Economic and Social Council, at its organizational session for 1993, to set up a high-level Commission on Sustainable Development as a functional commission of the Council, in accordance with Article 68 of the Charter of the United Nations, in order to ensure effective follow-up to the Conference, as well as to enhance international cooperation and rationalize the intergovernmental decision-making capacity for the integration of environment and development issues and to examine the progress of the implementation of Agenda 21 at the national, regional and international levels, fully guided by the principles of the Rio Declaration on Environment and Development 3/ and all other aspects of the Conference, in order to achieve sustainable development in all countries;

3. Recommends that the Commission have the following functions, as agreed in paragraphs 38.13, 33.13 and 33.21 of Agenda 21:

(a) To monitor progress in the implementation of Agenda 21 and activities related to the integration of environmental and developmental goals throughout the United Nations system through analysis and evaluation of reports from all relevant organs, organizations, programmes and institutions of the United Nations system dealing with various issues of environment and development, including those related to finance;

(b) To consider information provided by Governments, for example, in the form of periodic communications or national reports regarding the activities they undertake to implement Agenda 21, the problems they face, such as problems related to financial resources and technology transfer, and other environment and development issues they find relevant;

(c) To review the progress in the implementation of the commitments set forth in Agenda 21, including those related to the provision of financial resources and transfer of technology;

(d) To review and monitor regularly progress towards the United Nations target of 0.7 per cent of the gross national product of developed countries for official development assistance; this review process should systematically combine the monitoring of the implementation of Agenda 21 with the review of financial resources available;

(e) To review on a regular basis the adequacy of funding and mechanisms, including efforts to reach the objectives agreed in chapter 33 of Agenda 21, including targets where applicable;

(f) To receive and analyse relevant input from competent non-governmental organizations, including the scientific and the private sector, in the context of the overall implementation of Agenda 21;

(g) To enhance the dialogue, within the framework of the United Nations, with non-governmental organizations and the independent sector, as well as other entities outside the United Nations system;

3/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26), chap. I, resolution 1, annex I.

(h) To consider, where appropriate, information regarding the pregress made in the implementation of environmental conventions, which could be made available by the relevant conferences of parties;

(i) To provide appropriate recommendations to the General Assembly, through the Economic and Social Council, on the basis of an integrated consideration of the reports and issues related to the implementation of Agenda 21;

(j) To consider, at an appropriate time, the results of the review to be conducted expeditiously by the Secretary-General of all recommendations of the Conference for capacity-building programmes, information networks, task forces and other mechanisms to support the integration of environment and development at regional and subregional levels;

4. Also recommends that the Commission:

(a) Promote the incorporation of the principles of the Rio Declaration on Environment and Development in the implementation of Agenda 21;

(b) Promote the incorporation of the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests 4/ in the implementation of Agenda 21, in particular in the context of the review of the implementation of chapter 11 thereof;

(c) Keep under review the implementation of Agenda 21, recognizing that it is a dynamic programme that could evolve over time, taking into account the agreement to review Agenda 21 in 1997, and make recommendations, as appropriate, on the need for new cooperative arrangements related to sustainable development to the Economic and Social Council and, through it, to the General Assembly;

5. Decides that the Commission, in the fulfilment of its functions, will also:

(a) Monitor progress in promoting, facilitating and financing, as appropriate, access to and transfer of environmentally sound technologies and corresponding know-how, in particular to developing countries, on favourable terms, including on concessional and preferential terms, as mutually agreed, taking into account the need to protect intellectual property rights as well as the special needs of developing countries for the implementation of Agenda 21;

(b) Consider issues related to the provision of financial resources from all available funding sources and mechanisms, as contained in paragraphs 33.13 to 33.16 of Agenda 21;

6. Recommends that the Commission consist of representatives of fifty-three States elected by the Economic and Social Council from among the

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4/ Ibid., annex III.

Members of the United Nations and members of its specialized agencies for three-year terms, with due regard to equitable geographical distribution; the regional allocation of seats could be the same as that of the Commission on Science and Technology for Development, as decided by the Economic and Social Council in itsdecision 1992/222 of 29 May 1992; Representation should be at a high level, including ministerial participation; other Members of the United Nations and members ofits specialized agencies, as well as other observers of the United Nations, may participate in the Commission in the capacity of observer, in accordance with established practice;

7. Also recommends that the Commission:

(a) Provide for representatives of various parts of the United Nations system and other intergovernmental organizations, including international financial institutions, GATT, regional development banks, subregional financial institutions, relevant regional and subregional economic and technical cooperation organizations and regional economic integration organizations, to assist and advise the Commission in the performance of its functions, within their respective areas of expertise and mandates, and participate actively in its deliberations; and provide for the European Community, within its areas of competence, to participate fully - as will be appropriately defined in the rules of procedure applicable to the Commission - without the right to vote;

(b) Provide for non-governmental organizations, including those related to major groups as well as to industry and the scientific and business communities, to participate effectively in its work and contribute within their areas of competence to its deliberations;

8. Requests the Secretary-General, in the light of paragraph 7 above, to submit, for the consideration of the Economic and Social Council at its organizational session for 1993, his proposals on the rules of procedure applicable to the Commission, including those related to participation of relevant intergovernmental and non-governmental organizations, as recommended by the Conference, taking into account the following:

(a) The procedures, while ensuring the intergovernmental nature of the Commission, should allow its members to benefit from the expertise and competence of relevant intergovernmental and non-governmental organizations;

(b) The procedures should permit relevant intergovernmental organizations inside and outside the United Nations system, including multilateral financial institutions, to appoint special representatives to the Commission;

(c) The rules of procedure of the Economic and Social Council and those of its functional commissions;

(d) The rules of procedure of the United Nations Conference on Environment and Development;

(e) Decisions 1/1 5/ and 2/1 6/ of the Preparatory Committee for the United Nations Conference on Environment and Development;

(f) Paragraphs 38.11 and 38.44 of Agenda 21;

9. Recommends that the Commission shall meet once a year for a period of two to three weeks; the first substantive session of the Commission will be held in New York in 1993, without prejudice to the venue of future sessions at Geneva and/or in New York;

10. Requests the Committee on Conferences to consider the need for readjusting the calendar of meetings in order to take account of the interrelationship between the work of the Commission and the work of other relevant United Nations intergovernmental subsidiary organs, in order to ensure timely reporting to the Economic and Social Council;

11. Recommends that in 1993, as a transitional measure, the Commission hold a short organizational session in New York; at that session, the Commission will elect the officers of the Commission, namely, a chairman, three vice-chairmen and a rapporteur, one from each of the regional groups, decide on the agenda of its first substantive session and consider all other organizational issues as may be necessary; the agenda of the organizational session of the Commission shall be decided on by the Economic and Social Council at its organizational session for 1993;

12. Also recommends that the Commission, at its first substantive session, adopt a multi-year thematic programme of its work that will provide a framework to assess progress achieved in the implementation of Agenda 21 and ensure an integrated approach to all of its environment and development components as well as linkages between sectoral and cross-sectoral issues; this programme could be of clusters that would integrate in an effective manner related sectoral and cross-sectoral components of Agenda 21 in such a way as to allow the Commission to review the progress of the implementation of the entire Agenda 21 by 1997; the programme of work could be adjusted, as the need arises, at subsequent sessions of the Commission;

13. Requests the Secretary-General to submit his proposals for such a programme of work during the organizational session of the Commission;

14. Recommends that in order to carry out its functions and implement its programme of work effectively the Commission consider organizing its work on the following lines:

(a) Financial resources, mechanisms, transfer of technology, capacity-building and other cross-sectoral issues;

5/ See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 46 (A/45/46), annex I.

6/ Ibid., Forty-sixth Session, Supplement No. 48 (A/46/48), vol. I, annex I.

(b) Review of the implementation of Agenda 21 at the international level, as well as at the regional and national levels, including the means of implementation, in accordance with paragraph 12 above and the functions of the Commission, taking into account, where appropriate, information regarding progress in the implementation of relevant environmental conventions;

(c) A high-level meeting, with ministerial participation, to have an integrated overview of the implementation of Agenda 21, to consider emerging policy issues and to provide necessary political impetus to the implementation of the decisions of the Conference and the commitments contained therein;

Review and consideration of the implementation of Agenda 21 should be in an integrated manner;

15. Requests the Secretary-General to provide for each session of the Commission, in accordance with the programme of work mentioned in paragraph 12 above and with its organizational modalities, analytical reports containing information on relevant activities to implement Agenda 21, progress achieved and emerging issues to be addressed;

16. Also requests the Secretary-General to prepare, for the first substantive session of the Commission, reports containing information and proposals, as appropriate, on the following issues:

(a) Initial financial commitments, financial flows and arrangements to give effect to the decisions of the Conference from all available funding sources and mechanisms;

(b) Progress achieved in facilitating and promoting transfer of environmentally sound technologies, cooperation and capacity-building;

(c) Progress in the incorporation of recommendations of the Conference in the activities of international organizations and measures undertaken by the Administrative Committee on Coordination to ensure that sustainable development principles are incorporated into programmes and processes within the United Nations system;

(d) Ways in which, upon request, the United Nations system and bilateral donors are assisting countries, particularly developing countries, in the preparation of national reports and national Agenda 21 action plans;

(e) Urgent and major emerging issues that may be addressed in the course of the high-level meeting;

17. Decides that organizational modalities for the Commission should be reviewed in the context of the overall review and appraisal of Agenda 21 during the special session of the General Assembly 7/ and adjusted, as may be required, to improve its effectiveness;

7/ See resolution 47/190, para. 8.

Relationship with other United Nations intergovernmental bodies

18. Recommends that the Commission, in discharging its functions, submit its consolidated recommendations to the Economic and Social Council and, through it, to the General Assembly, to be considered by the Council and the Assembly in accordance with their respective responsibilities as defined in the Charter of the United Nations and with the relevant provisions of paragraphs 38.9 and 38.10 of Agenda 21;

19. Also recommends that the Commission actively interact with other intergovernmental United Nations bodies dealing with matters related to environment and development;

20. Emphasizes that the ongoing restructuring and revitalization of the United Nations in the economic, social and related fields should take into account the organizational modalities for the Commission, with a view to optimizing its work and the work of other intergovernmental United Nations bodies dealing with matters related to environment and development;

Coordination within the United Nations system

21. Requests all specialized agencies and related organizations of the United Nations system to strengthen and adjust their activities, programmes and medium-term plans, as appropriate, in line with Agenda 21, in particular regarding projects for promoting sustainable development, in accordance with paragraph 38.28 of Agenda 21, and make their reports on steps they have taken to give effect to this recommendation available to the Commission and the Economic and Social Council in 1993 or, at the latest, in 1994, in accordance with Article 64 of the Charter;

22. Invites all relevant governing bodies to ensure that the tasks assigned to them are carried out effectively, including the elaboration and publication on a regular basis of reports on the activities of the organs, programmes and organizations for which they are responsible, and that continuous reviews are undertaken of their policies, programmes, budgets and activities;

23. Invites the World Bank and other international, regional and subregional financial and development institutions, including the Global Environment Facility, to submit regularly to the Commission reports containing information on their experience, activities and plans to implement Agenda 21;

24. Requests the Secretary-General to submit to the Commission, at its substantive session of 1993, recommendations and proposals for improving coordination of programmes related to development data that exist within the United Nations system, taking into account the provisions of paragraph 40.13 of Agenda 21, inter alia regarding "Development Watch";

United Nations Environment Programme, United Nations Development Programme, United Nations Conference on Trade and Development and United Nations Sudano-Sahelian Office

25. Requests the Governing Council of the United Nations Environment Programme, the Governing Council of the United Nations Development Programme and the Trade and Development Board to examine the relevant provisions of chapter 38 of Agenda 21 at their next sessions and to submit to the General Assembly at its forty-eighth session, through the Commission and the Economic and Social Council, reports on their specific plans to implement Agenda 21;

26. Takes note of the work of the United Nations Centre for Urgent Environmental Assistance, established by the Governing Council of the United Nations Environment Programme on an experimental basis, and invites the Governing Council to report to the General Assembly at its forty-eighth session on the experience gained within the Centre;

Regional commissions

27. Requests United Nations regional commissions to examine the relevant provisions of chapter 38 of Agenda 21 at their next sessions and to submit reports on their specific plans to implement Agenda 21;

28. Requests the Economic and Social Council to decide on the arrangements required for the reports of regional commissions with the conclusions related to such a review to be made available to the Commission on Sustainable Development in 1993, or at the latest in 1994;

High-level Advisory Board

29. Endorses the view of the Secretary-General that the High-level Advisory Board should consist of eminent persons broadly representative of all regions of the world, with recognized expertise on the broad spectrum of issues to be dealt with by the Commission, drawn from relevant scientific disciplines, industry, finance and other major non-governmental constituencies, as well as various disciplines related to environment and development, and that due account should also be given to gender balance; 8/

30. Decides that the main task of the Advisory Board is to give broad consideration to issues related to implementation of Agenda 21, taking into account the thematic multi-year programme of work of the Commission, and provide expert advice in that regard to the Secretary-General and, through him, to the Commission, the Economic and Social Council and the General Assembly;

31. Takes note of the views of the Secretary-General regarding the functions of the Advisory Board and of the Committee for Development Planning, and requests him to submit appropriate proposals to the Economic and Social Council at its organizational session for 1993, including the possibility of establishing rosters of experts;

8/ See A/47/598, para. 59.

Secretariat support arrangements

32. Takes note of the decision of the Secretary-General to establish a new Department for Policy Coordination and Sustainable Development, headed at the Under-Secretary-General level, and in this context calls upon the Secretary-General to establish a clearly identifiable, highly qualified and competent secretariat support structure to provide support for the Commission, the Inter-Agency Committee on Sustainable Development and the High-level Advisory Board, taking into account gender balance at all levels, the paramount importance of securing the highest standards of efficiency, competence and integrity, and the importance of recruiting staff on as wide a geographical basis as possible in accordance with Articles 8 and 101 of the Charter and the following criteria:

(a) It should draw on the expertise gained and the working methods and organizational structures developed during the preparatory process for the Conference;

(b) It should work closely with United Nations and other expert bodies in the field of sustainable development and should cooperate closely and cooperatively with the economic and social entities of the Secretariat and the secretariats of the relevant organs, organizations and bodies of the United Nations system, including the secretariats of international financial institutions, and it should provide for effective liaison with relevant non-governmental organizations, including those related to major groups, in particular non-governmental organizations from developing countries;

(c) The secretariat, which will be located in New York, should ensure to all countries easy access to its services; effective interaction with secretariats of other international organizations, financial institutions and relevant conventions whose secretariats have been established definitively or on an interim basis and should have a relevant office at Geneva to establish close links with activities related to follow-up to legal instrumentssigned at or mandated by the Conference and to maintain liaison with agencies in the fields of environment and development; the secretariat should also have a liaison office at Nairobi, on the basis of arrangements made at the Conference;

(d) It should be headed by a high-level official designated by the Secretary-General to work closely and directly with him and with assured access to him, as well as with the heads of relevant organizations of the United Nations system, including the multilateral financial and trade organizations, dealing with the implementation of Agenda 21;

(e) It should be funded from the United Nations regular budget and depend to the maximum extent possible upon existing budgetary resources;

(f) It should be supplemented or reinforced, as appropriate, by secondments from other relevant bodies and agencies of the United Nations system, especially the United Nations Environment Programme, the United Nations Development Programme and the World Bank, taking into account the need to ensure that the work programmes of those organizations are not negatively affected, and from national Governments, as well as by appropriate specialists on limited-term contracts from outside the United Nations in such areas as may be required;

(g) It should take into account relevant resolutions and decisions of the General Assembly and the Economic and Social Council regarding women in the United Nations Secretariat;

(h) Sustainable development should be integrated and coordinated with other economic, social and environmental activities of the Secretariat; organizational decisions should be consistent with consensus resolutions in the context of the restructuring and revitalization of the United Nations in the economic, social and related fields;

33. Requests the Secretary-General to make the necessary interim secretariat arrangements to ensure adequate preparations and support for the first session of the Commission and the work of the Inter-Agency Committee;

34. Also requests the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

93rd plenary meeting
22 December 1992

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A/RES/47/192
29 January 1993

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Second Committee (A/47/719)]

47/192. United Nations conference on straddling fish stocks and highly migratory fish stocks

The General Assembly,

Recalling Agenda 21, 1/ adopted at the United Nations Conference on Environment and Development, in particular chapter 17, programme area C, relating to the sustainable use and conservation of marine living resources of the high seas,

Recalling also the Strategy for Fisheries Management and Development, adopted by the World Conference on Fisheries Management and Development, 2/

Taking note of the Declaration of Cancun, 3/ adopted at the International Conference on Responsible Fishing held at Cancun, Mexico, from 6 to 8 May 1992,

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1/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26), chap I, resolution 1, annex II.

2/ See Food and Agriculture Organization of the United Nations, Report of the FAO World Conference on Fisheries Management and Development, Rome, 27 June-6 July 1984 (Rome, 1984).

3/ A/CONF.151/15, annex.

Inviting all members of the international community, particularly those with fishing interests, to strengthen their cooperation in the conservation and management of living marine resources, in accordance with the provisions of the United Nations Convention on the Law of the Sea, 4/

Taking note of relevant recent discussions on international fisheries,

1. Decides to convene in 1993, under United Nations auspices and in accordance with the mandate agreed upon at the United Nations Conference on Environment and Development, an intergovernmental conference on straddling fish stocks and highly migratory fish stocks, which should complete its work before the forty-ninth session of the General Assembly;

2. Also decides that the intergovernmental conference, in accordance with the said mandate , shall take into account relevant activities at the subregional, regional and global levels, with a view to promoting effective implementation of the provisions of the United Nations Convention on the Law of the Sea on straddling fish stocks and highly migratory fish stocks, and that it, drawing, inter alia, on scientific and technical studies by the Food and Agriculture Organization of the United Nations, should:

(a) Identify and assess existing problems related to the conservation and management of such fish stocks;

(b) Consider means of improving fisheries cooperation among States;

(c) Formulate appropriate recommendations;

3. Reaffirms that the work and results of the conference should be fully consistent with the provisions of the United Nations Convention on the Law of the Sea, 4/ in particular the rights and obligations of coastal States and States fishing on the high seas, and that States should give full effect to the high seas fisheries provisions of the Convention with regard to fisheries populations whose ranges lie both within and beyond exclusive economic zones (straddling fish stocks) and highly migratory fish stocks;

4. Requests the Secretary-General to invite to the conference those listed in paragraph 9 of its resolution 46/168 of 19 December 1991 and in its decisions 46/469 and 46/470 of 13 April 1992, and also to invite regional and subregional fisheries organizations to attend as observers;

5. Decides that in 1993 the conference shall hold an organizational session of up to five days at United Nations Headquarters for the purposes of electing a chairman and other officers, namely, three vice-chairmen and a rapporteur, giving due regard to equitable geographical representation, and of organizing its work;

6. Requests the Secretary-General to make appropriate secretariat arrangements;

4/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

7. Decides that in 1993 the conference shall hold a session of three weeks' duration in July at United Nations Headquarters to deal with substantive matters;

8. Requests the Secretary-General to prepare draft rules of procedure for the consideration of the conference at its organizational session;

9. Decides to establish a voluntary fund for the purpose of assisting developing countries, especially those most concerned by the subject-matter of the conference, in particular the least developed among them, to participate fully and effectively in the conference, and invites Governments and regional economic integration organizations to contribute to the fund;

10. Also decides that the funds necessary for the preparatory process and the conference itself should, subject to the relevant provisions of General Assembly resolutions 40/243 of 18 December 1985, 41/213 of 19 December 1986 and 42/211 of 21 December 1987, be made available within the programme budget without adversely affecting other ongoing activities and without prejudice to the provision of extrabudgetary resources;

11. Invites relevant specialized agencies, particularly the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, as well as regional and subregional fisheries organizations, to contribute relevant scientific and technical studies and reports and to organize regional and subregional technical meetings in order to contribute to the work of the conference;

12. Invites relevant non-governmental organizations from developed and developing countries to contribute to the conference, within the areas of their competence and expertise, on the basis of procedures for their accreditation used for the United Nations Conference on Environment and Development, as recommended in paragraph 38.44 of Agenda 21; 1/

13. Requests the Secretary-General to submit to the General Assembly at its forty-eighth session a report on the work of the conference;

14. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, agencies, programmes and bodies within the United Nations system, regional and subregional fisheries organizations and relevant non-governmental organizations;

15. Decides to include in the provisional agenda of its forty-eighth session, under an item entitled "Implementation of the decisions and recommendations of the United Nations Conference on Environment and Development", a sub-item entitled "Sustainable use and conservation of the marine living resources of the high seas: United Nations conference on straddling fish stocks and highly migratory fish stocks".

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